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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,465	11/12/2003	David G. Kuehr-McLaren	RSW920010118US1	6746

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EXAMINER

ROSEN, NICHOLAS D

ART UNIT PAPER NUMBER

3625

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/706,465	<b>Applicant(s)</b> KUEHR-MCLAREN ET AL.	
	<b>Examiner</b> Nicholas D. Rosen	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 17-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/12/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 1-24 have been examined.

#### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "step 203" (page 12, line 10 in the specification). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application, or else the written description should be amended. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

Claim 18 is objected to because of the following informalities: Claim 18 is recited as depending on claim 19. Examiner wishes to inquire whether it is intended to depend on claim 17.

***Double Patenting***

Claims 17-24 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 9-16. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claims 17-24 are identical to claims 9-16, except for the numbers, and the minor point of claim 18 depending on claim 19, rather than, as one might expect, claim 17.

***Allowable Subject Matter***

Claims 1-8 are allowed.

Claims 9-16 are allowed.

Claims 17-24 are objected to, but recite allowable subject matter.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Barzilai et al. (U.S. Patent Application Publication 2002/0029201), discloses a method for business privacy in an electronic marketplace, including obtaining privacy-use instructions for the participants (e.g., Abstract; paragraphs 11-14). Barzilai does not disclose identifying collaborative groups of two or more participants who are presenting a collaborative transaction to the electronic marketplace, but such groups, and the identification thereof, are well known, as taught, for example, by Van Horn et al. (U.S. Patent 6,604,089). However, neither Barzilai nor any other prior art of record discloses or reasonably suggests creating an aggregate privacy policy for each

collaborative transaction, based on privacy-use information from each participant in each collaborative group, and presenting to the electronic marketplace the aggregate privacy policy for each collaborative transaction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McCollom et al. (U.S. Patent 6,343,274) disclose a method and apparatus for a merchant-to-consumer advertisement communication system. Van Horn et al. (U.S. Patent 6,604,089) disclose demand aggregation through online buying groups. Barzilai et al. (U.S. Patent Application Publication 2002/0029201) disclose business privacy in the electronic marketplace. Willner et al. (U.S. Patent Application Publication 2003/0023451) disclose a method and apparatus for identifying privacy levels. Bohrer et al. (U.S. Patent Application Publication 2003/0088520) disclose a system, method, and business methods for enforcing privacy preferences on personal-data exchanges across a network. Duri et al. (U.S. Patent Application Publication 2004/0054918) disclose a secure system and method for enforcement of privacy policy and protection of confidentiality. Falk et al. (U.S. Patent Application Publication 2004/0111302) disclose a system and process for electronic subrogation, inter-

organization workflow management, inter-organization transaction processing, and optimized Web-based user interaction. Irving et al. (U.S. Patent Application Publication 2004/0111423) disclose a method and system for secure community profile generation and access via a communication system. Bjorksten et al. (U.S. Patent Application Publication 2004/0117322) disclose a system, method, and computer program product for providing profile information. Beringer (U.S. Patent Application Publication 2004/0122696) discloses collaborative information spaces. Epling et al. (U.S. Patent Application Publication 2005/0091101) disclose systems and methods for user-tailored presentation of privacy policy data.

Kuehr-McLaren et al. (U.S. Patent Application Publication 2005/0102155) and Kuehr-McLaren et al. (U.S. Patent Application Publication 2005/0102194) have been considered for double patenting issues.

Lin (EP 1 118 925 A1) discloses a security policy applied to common data security architecture. Clark (WO 02/080042 A1) discloses private collaborative planning in a many-to-many hub.

The anonymous article, "Interaction between Different Standards," discloses security procedures for distributed information systems. The anonymous article, "Click Me up, MarketMAX," discloses, inter alia, enabling users to post information back and forth to a secure area in an online marketplace. Jones ("Vendors Huddle over Privacy" and "Vendors Tout Privacy Spec.") discloses Platform for Privacy Preferences. Enterlin ("Are Your Suppliers Security Conscious?") discloses maintaining security with multiple

vendors. Weber ("A New Privacy Tool Is at Your Disposal Now -- Warts and All") discloses Platform for Privacy Preferences.

This application is in condition for allowance except for the following formal matters: The drawings are objected to by the examiner and also by the draftsman. Claims 17-24 are objected to on the grounds of double patenting, and there is a question about the dependence of claim 18.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen, whose telephone number is 571-272-6762. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith, can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Non-official/draft communications can be faxed to the examiner at 571-273-6762.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Nicholas D. Rosen*

NICHOLAS D. ROSEN  
PRIMARY EXAMINER

August 25, 2006